

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Ralph M. Samodell
TITLE : ELECTRIC ARC WELDER WITH
BACKGROUND CURRENT
APPLICATION NO. : 10/726,810
FILED : December 4, 2003
CONFIRMATION NO. : 4119
EXAMINER : Clifford C. Shaw
ART UNIT : 1725
ALLOWED : May 23, 2006
ATTORNEY DOCKET NO. : LEE 2 00314

RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Issue Fee

Dear Sir:

Applicant gratefully acknowledges the indication as to the allowance of the present application.

However, applicant respectfully submits the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance may be set forth in instances in which " . . . the Examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2004)). In the present case, applicant believes the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

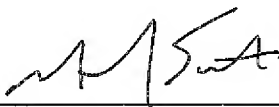
Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicant's claimed invention as reflected in the specification and the applicant's responses to the Examiner's office actions.

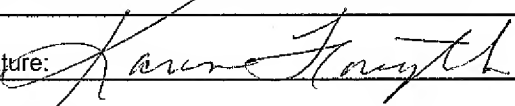
Therefore, while applicant believes the claims are allowable, applicant does not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Aug 7th 2006
Date


Mark S. Svat
Reg. No. 34,261
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being <input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. <input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: <u></u>
Date: <u>August 7, 2006</u>	Name: Karen M. Forsyth